



Roswell Planning & Zoning Commission Minutes

Tuesday, May 24, 2016 - 6:00 PM

Bassett Auditorium, Roswell Museum and Art Center

100 West 11th Street

Chair: Ralph Brown, Vice Chair: Riley Armstrong
Members: Shirley Childress, Toby Gross, David Storey,
Kent Taylor, Jesse McDaniel

Planning Staff: Merideth Hildreth, AICP
William Morris, AICP, CZO
Louis Najar, PE

A. CALL TO ORDER AND WELCOME – Chair Ralph Brown

A regular meeting of the Planning & Zoning Commission was called to order at approximately 6:00 p.m. by Chair Brown with the following members present:

B. Roll-Call

Ralph Brown (Chair)	PRESENT
Riley Armstrong (Vice Chair)	PRESENT
Toby Gross	PRESENT
Shirley Childress	PRESENT
David Storey	PRESENT
Kent Taylor	PRESENT
Jesse McDaniel	PRESENT

Staff Members Present: Merideth Hildreth, AICP, Current Planning Administrator;
and William Morris, AICP, CZO, Planning Manager.

Chair Brown welcomed the two new commissioners Kent Taylor and Jesse McDaniel.

C. Swearing In: Chair Brown swore in staff and members of the audience.

D. Approval of the Agenda

Motion to Approve the Agenda by Commissioner Gross
Second by Commissioner Armstrong
The motion passed 7 to 0

E. Minutes: Consider approval of the March 22, 2016 minutes

Motion to Approve the April 26, 2016 Minutes as written by Commissioner Gross

Second by Commissioner Armstrong

The motion passed 7 to 0

F. Public Hearing Items

- 1. CASE 16-05 (VAR) Request for a Variance for Rear Yard Setback and Coverage of over forty percent of Rear Yard Setback for Accessory Structure; WEST SIDE, Block 53, Lot 6 AND Lot 7, S: 32 T: 10S R: 24E - known as 600 North Pennsylvania Avenue (Rita Ballou, LLC/Owner & Adriann Ragsdale/Agent).**

Exhibits Attached: (A) Application (2 pages); (B) Staff Summary; (C) Letter Notifying Surrounding Property Owners; (D) List of Property Owners Notified; (E) Chaves County Assessor's Map Identifying Properties with the Notification Area; (F) Aerial Map of Property Requesting Variance; (G) Photos of Property; (H) Site Plan; (I) Drawings

Motion to Waive the Reading of the Finding of Facts with Respect to Case 16-05 by Commissioner Armstrong

Second by Commissioner Childress

The motion passed 7 to 0

Chair Brown asked if anyone in favor of Case 16-05 wished to speak.

Luke Ragsdale: 1 Desert Rose in Roswell

My wife and I are owners of 600 North Pennsylvania, the subject of this variance. I'm happy to say business is good. So, we need an additional conference room. We want to raze part of an accessory building and rebuild and extend it. We will retain the same amount of parking. Mr. Ortega is here, our contractor. I see that staff has recommended approval and we are asking for approval as well.

Ms. Hildreth: We have received additional information this week from the contractor. The entire accessory building may be razed including the existing garage due to damage from the snow storm. The owners would like the rebuild to be in its current location or possibly rebuild the accessory structure no farther than five feet from the north property line.

Mr. Morris: This accessory structure with its rebuild and addition is in keeping with community character. This is a situation where a property owner is reinvesting in the historic district and using the building. It's an adaptive reuse. What they are proposing has an interesting facade, not just a box. The design is in character with the density and with the neighborhood. The rear yard setback coverage will exceed forty percent.

Chair Brown asked if anyone wished to speak against Case 16-05. There were none.

Commissioner Armstrong made a motion based on findings of fact, testimony, and staff recommendation to approve case 16-05

Second by Commissioner Childress

The motion passed 7 to 0

2. PROPOSED TEXT AMENDMENT to the City of Roswell Zoning Ordinance; Consideration of Recommending Approval for Modification of ARTICLE 17: C-4 COMMERCIAL BUSINESS DISTRICT Section 8: Sanitation Dumpsters, Grease Bin, and Enclosure Requirements specifying new requirements

Article 22 Building and Performance Standards

Section 12. Dumpsters and Grease Bins (New Section)

A. All sanitation dumpsters and grease bins in all commercial districts shall be constructed as shown below.

B. All sanitation dumpsters shall be enclosed on three sides with walls no less than six feet (6') in height constructed with consistent masonry building materials used on the main commercial property.

1. For properties where the rear property line is along an alley, enclosure openings shall abut the rear property line (at a right angle OR at a 15 degree angle facing N/S/E/W according to the Sanitation Department's route plan for service) and be located away from high-traffic public areas, such as eating tables. Properties which are not abutting an alley shall locate the dumpster towards the rear of the site, and in a manner that is acceptable with the Sanitation Department.

Mr. Morris: Last meeting we brought the text amendment to the Planning & Zoning Commission. Commissioner Storey brought up a question about wording in Section B1 – the yellow paragraph in front of you. The north end of town and some other areas have no alleys. The text in the highlighted paragraph was modified to allow the requested flexibility. We are looking for approval of the text if it meets the intent.

Commissioner Storey: Where does it go next?

Mr. Morris: Back to Legal Committee and then to City Council.

Commissioner Storey made a motion to approve the text amendment

Second by Commissioner Armstrong

The motion passed 7 to 0

3. **PROPOSED TEXT AMENDMENT to the City of Roswell Zoning Ordinance; Consideration of Recommending Approval for Modification of ARTICLE 6: R-S RURAL SUBURBAN DISTRICT, specifically, creating a new Special Use for Accessory Retail in the R-S zoning district to allow the sale of products associated with homemade food and craft products and collectables. (Attachment – 2 Pages.)**

ARTICLE 6: R-S RURAL SUBURBAN DISTRICT

Section 2. Use Regulations

B. Special Uses are as follows:

16. Accessory retail, which shall be limited to no more than one thousand (1,000) square feet of interior space and two thousand (2,000) square feet of outdoor space, and must be accessory to a permitted use onsite. The products sold shall be limited to those associated with homemade food and craft products and collectables. There shall be a minimum of 5 parking spaces which may remain unpaved.

Mr. Morris: This came up as a request by the Code Review committee to add accessory retail to existing uses in the R-S (Rural Suburban) Zoning District. R-S is the most rural district we have in zoning. It is Semi-Agricultural with 2.5 acre minimum lots. Uses by right are listed. Special uses require P&Z approval. We have some businesses approved. There is a horse operation on the north side and they would like to sell hay, and tack. There must be an existing business to obtain a special use permit. The additional Special Use this text amendment would allow a secondary use that can utilize up to 1,000 square feet for homemade food, crafts, and collectables. In keeping with the “countryesque” character, five unpaved parking spaces will be required. This zone is not for uses such as tractor supplies. That's not what we are looking for.

Commissioner Storey: This text seems very restrictive. I would suggest to leave it out. Maybe put something in that says compatible with primary use.

Mr. Morris: Motion could include to modify or delete that sentence.

Commissioner Storey: I have a question about the unpaved parking spaces.

Morris: This is a rural area, not an urban setting. The retail area would accommodate up to 1,000 square feet with five parking spaces. The owner will be required to tell us where the parking is located.

Commissioner Storey: Is this coming from Staff?

Mr. Morris: It was brought forth by Code Rewrite Group. It gives these little uses an income stream. I don't anticipate many of these.

Commissioner Armstrong: There is no accessory retail right now?

Mr. Morris: You can have airports, oil and gas, correctional facilities. We're just talking about an add on to another special use.

Commissioner Gross: Is this what you really want, Bill?

Commissioner Storey: Landfills are allowed in R-S. Do we have much R-S?

Morris: North of Pine Lodge.

Commissioner Taylor: Another R-S section is northeast by the Country Club.

Commissioner Brown: Will it go to Council or Legal Committee first?

Mr. Morris: It will go to Legal Committee then to Council.

**Commissioner Storey made a motion to approve the text amendment to add accessory retail to the R-S District as a Special Use as presented.
Second by Commissioner Gross
The motion passed 7 to 0**

G. Other Business

Commissioner Taylor: Mr. Chairman, did we ever get sworn in as Commissioners?

Commissioner Storey: I think being approved by Mayor and Council makes the Planning & Zoning Commissioners official.

H. Public Comments

None

I. Adjourn

The meeting adjourned at 6:26 p.m.